

PRIVACY NOTICE – NON-ADVISING STAFF

Nexus IFA Limited & Nexus Financial Planning understand their obligations in regards to your fundamental right to a private life and have implemented systems and controls to ensure your rights and freedoms are protected.

Nexus IFA Limited & Nexus Financial Planning undertake to meet their obligations under the Data Protection Act, the Privacy and Electronic Communications Regulations and the EU General Data Protection Regulation (GDPR).

WHO WILL PROCESS YOUR PERSONAL INFORMATION?

Your personal information will be processed by Nexus IFA Limited & Nexus Financial Planning who are both Appointed Representatives of the The Whitechurch Network Limited who act as the Principal for regulatory purposes. All parties will process your personal data in accordance with this privacy notice.

WHY IS YOUR PERSONAL INFORMATION REQUIRED?

Your personal information is required to enable us to take necessary steps prior to your entering into a contract and to perform such a contract. As your employer, we need to keep and process information about you for normal employment purposes. It is in our legitimate interests. The information we hold and process will be used for our management and administrative use only. We will keep and use it to enable us to run the business and manage our relationship with you effectively, lawfully and appropriately, during the recruitment process, whilst you are working for us, at the time when your employment ends and after you have left. This includes using information to enable us to comply with the employment contract, to comply with any legal requirements, pursue our legitimate interests and protect our legal position in the event of legal proceedings.

WHAT HAPPENS IF WE WANT TO PROCESS YOUR INFORMATION FOR OTHER REASONS?

Though there are some legal exceptions, if we wish to process your personal data for any other unrelated purpose than those we have informed you about we will notify you.

WHAT ARE THE CONSEQUENCES IF WE CANNOT PROCESS YOUR PERSONAL INFORMATION?

If you do not provide this data, we may be unable to comply with our obligations. Your personal data is essential to enable us to carry out our regulatory duties in relation to non-advising staff employed by firms offering financial services.

WHAT MAKES THE PROCESSING LAWFUL?

Because the processing is necessary:

- for compliance with a legal obligation to which we are subject;
- for the performance of a task carried out in the public interest;
- for the purposes of the legitimate interests pursued by us your employer.

KEEPING YOUR INFORMATION UP TO DATE

We will record your information exactly as you provided it. You may ask us to update it at any time and we will action your request promptly and where possible notify relevant third parties of any changes.

WHAT PERSONAL DATA DO WE KEEP?

The sort of information we hold includes that which you provided to us during your application including your name & address, contact details including an email address and any relevant qualifications you hold for your employment role. We also record your contract of employment, job title and duties, and the date your employment started; information needed for payroll, benefits and expenses purposes; emergency contact details; records of holiday, sickness and other absence; information needed for equal opportunities monitoring policy; records relating to your career history, such as training records, appraisals, other performance measures and, where appropriate, disciplinary and grievance records. In addition correspondence with or about you, for example letters to you about a pay rise. Where necessary, we may keep information relating to your health, which could include reasons for absence and GP reports and notes. This information will be used in order to comply with our health and safety and occupational health obligations –to consider how your health affects your ability to do your job and whether any adjustments to your job might be appropriate. We will also need this data to administer and manage statutory and company sick pay.

HOW WILL WE FURTHER USE YOUR PERSONAL INFORMATION (OUR LEGITIMATE INTERESTS)?

- To contact you to ensure that our records of your personal information are correct;
- To respond to questions or complaints you may have;
- To evidence company practices;
- To evidence the standards and processes carried out conform to the company's ethical standards and expectations;
- To protect the business from risks which might be introduced by an individual;
- To enter into or perform the contract between us and your employer.

You have the right to object to processing for these purposes and we shall cease unless we can show we have compelling legitimate grounds to continue.

PROCESSING WHEN PERFORMING A TASK CARRIED OUT IN THE PUBLIC INTEREST

We will use the information provided to protect members of the public against dishonesty, money laundering or fraudulent activities. This must necessarily be carried out without your explicit consent to ensure this function is not prejudiced.

HOW SECURE WILL YOUR DATA BE?

We will ensure that your data is only accessible to authorised people in our firm and will remain confidential at all times. Appropriate security measures will be in place to prevent unauthorised access, alteration, disclosure, loss, damage or destruction of your information. If we have a contract with another organisation to provide us with services or a service on our behalf to process your personal information, we'll make sure they give reassurances regarding appropriate security measures in place and only process your information in the way we've authorised them

to. These organisations won't be entitled to use your personal information for their own purposes. If necessary, we will check them to make sure they meet the security requirements we've set. Please contact our Data Controller if you would like further information.

WILL WE SHARE YOUR INFORMATION WITH ANYONE ELSE?

We may share your information with:

- Appropriate staff such as those who carry out financial or compliance functions.
- Organisations that need your information because we are required to provide it by law (e.g. The FCA, ombudsman services, HMRC etc).
- Law enforcement agencies, courts or other public authorities if we have to, or are authorised to by law.
- Companies or organisations requesting a reference where you have named us as a referee.

Where we or our Principal go through a business transaction, such as a merger, being acquired by another company or selling a portion of its assets, your information will, in most instances, be part of the assets transferred. We do not sell your personal information to third parties.

TRANSFERRING DATA OUTSIDE THE EUROPEAN UNION

We will not transfer any of your personal data outside of the EU.

WHAT ABOUT DIRECT MARKETING?

We will not use your information now or in the future to carry out direct marketing to you.

AUTOMATED DECISION-MAKING PROCESSES

We sometimes use automated processes when making decisions but you will not be subject to a decision based solely on automated processing, including profiling.

TELEPHONE CALL RECORDING

In line with The Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000 we may record incoming or outgoing telephone conversations for the following purposes:

- Establishing facts and evidence for business transactions;
- Ensuring compliance with regulatory or self-regulatory practices;
- Ascertaining and demonstrating that standards are being met;
- Preventing or detecting crime;
- Investigating or detecting the unauthorised use of that or any other telecommunication system;
- Safeguarding the effective operation of the telecommunications system.

HOW LONG WILL WE KEEP YOUR INFORMATION FOR?

The Financial Conduct Authority lays down rules relating to how long certain information should be held for and we will keep your information to meet these requirements. We will also not keep your information for longer than is necessary as your employer.

REQUESTING A COPY OF THE INFORMATION WE HOLD

You may at any time ask for a copy of the information we hold about you – **it is your legal right**. We will provide you with a copy of any non-exempt personal information within one month unless we ask you for an extension of time. To protect your personal data, we will ask you to verify your identity before we release any information. We may refuse your request if we are unable to confirm your identity.

IMPORTANT RIGHTS

You have the right, on grounds relating to your situation, at any time to object to processing which is carried out as part of our legitimate interests or in the performance of a task carried out in the public interest. We will no longer process your data unless we can demonstrate there are compelling legitimate grounds which override your rights and freedoms or unless processing is necessary for the establishment, exercise or defence of legal claims.

You have the right to object at any time to processing your personal data for marketing activities. In such a case we must stop processing for this purpose.

WHAT ARE YOUR OTHER LEGAL RIGHTS?

In addition to the rights above the additional following rights:

- Where you have given consent, you have the right to withdraw previous consent to processing your personal data at any time;
- You have the right to request from us access to and rectification or erasure of personal data or restriction of processing concerning your data;
- You have the right to receive data you have provided to us in a structured, commonly used and machine readable format;
- You have the right to lodge a complaint with the regulator (see below).

To exercise any of these rights please contact our Data Controller.

HOW TO CONTACT OUR DATA CONTROLLER

You can contact our Data Controller about any data protection or marketing issues by:

- Writing to: **Nexus Data Controller, 2-4 York Buildings, Cornhill, Bridgwater, TA6 3BS**
- Telephoning: **01278 439494**
- Emailing: **datacontroller@nexusifa.co.uk**

HOW DO YOU MAKE A COMPLAINT TO THE REGULATOR?

- By writing to: **Information Commissioner's Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire,
SK9 5AF**
- By telephoning: **0303 123 1113**
- By emailing: **casework@ico.org.uk**
- By using their website: **<https://ico.org.uk/for-organisations/report-a-breach>**